1 2	Dennis G. Martin, SBN# 54060 Willmore F. Holbrow, III, SBN #169688 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP		
3	12400 Wilshire Boulevard, Seventh Floor Los Angeles, CA 90025		
4	Tel: (310) 207-3800		
5	Fax: (310) 820-5988 Attorneys for Defendant		
6	LACDCS PARTNERSHIP		
7			
8	UNITED STATES DISTRICT COURT		
9	CENTRAL DISTRICT OF CALIFORNIA		
10	FEI HOLDINGS, INC., a Washington	) CASE NO. CV09-8931 CBM (Ex)	
11	corporation	) Assigned to: Hon. Consuelo B. Marshall	
12	Plaintiff,	) ) DEFENDANT'S NOTICE OF MOTION	
13		) AND MOTION TO DISMISS	
14	VS.	<ul><li>) PURSUANT TO FED. R. CIV. P.</li><li>) 12(b)(1) and 12(b)(6)</li></ul>	
15	LACDCS PARTNERSHIP, a California	)	
16	General Partnership,	Hearing Date: March 1, 2010 Time: 10:00 a.m.	
17		Place: Courtroom of the Honorable	
18	Defendants.	Consuelo B. Marshall	
19			
20	PLEASE TAKE NOTICE THAT on March 1, 2010 at 10:00 a.m. in Courtroom 2		
21	of the above-entitled Court, before the Honorable Consuelo B. Marshall, located at 312		
22	North Spring Street, Los Angeles, California 90012, Defendant LACDCS		
23	PARTNERSHIP will and hereby does move for a motion to dismiss Plaintiff's Complaint		
24	in the above-captioned matter.		
25	This motion is supported by Defendant's Brief in Support of Its Motion to Dismiss		
26	Pursuant to Fed.R.Civ.P. 12(b)(1) and 12(b)(6); the Declarations of Deborah Miles and		
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1	Kathryn Bassett, exhibits and possibly documents submitted in reply to any opposition	
2	and statements and documents provided at the hearing.	
3		
4	Dated: January 27, 2010	
5		
6	Respectfully submitted,	
7	DI AKRIAT GOKOLOFE WAXKOD A ZARAKAY AKD	
8	BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP	
9	1 Muno Ital	
10	Dennis G. Martin	
11	Willmore F. Holbrow  Plakely Sakaloff Taylor & Zafman, L.I.B.	
12	Blakely Sokoloff Taylor & Zafman, LLP Attorneys for Defendant LACDCS	
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## PROOF OF SERVICE 1 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES 2 I am employed in the County of Los Angeles, State of California, by Blakely, Sokoloff, 3 Taylor & Zafman LLP. My business address is 12400 Wilshire Boulevard, Suite 700, Los Angeles, California 90025. I am over the age of 18 and not a party to the within action. 4 5 On January 27, 2010 I served a true and correct copy of the foregoing document described DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS 6 PURSUANT TO FED. R. CIV. P. 12(b)(1) and 12(b)(6) 7 Timothy P. Dillon, Esq. SB#190839 Robert S. Apgood, Esq. 8 CARPELAW PLCC DILLON & GERARDI, APC 4660 La Jolla Village, Suite 775 2500 N. W. 80<sup>th</sup> Street San Diego, California 90212 Seattle, WA 98117 Tel: 858-587-1800 10 Fax: (858) 587-2587 11 Attorneys for Plaintiff FEI HOLDINGS, INC 12 13 METHOD OF SERVICE 14 (BY MAIL) I caused such envelope(s) with sufficient postage thereon fully prepaid to be placed in the United States Mail at Los Angeles, California. 15 16 (BY ELECTRONIC MAIL) I caused a true and correct copy of the attached document to be sent via e-mail to the email address listed above) 17 (BY FACSIMILE) I caused such document to be transmitted by facsimile to 18 the address listed above. 19 (BY PERSONAL SERVICE) I caused such documents to be delivered by hand 20 to the person(s) listed above. 21 **JURISDICTION** 22

(FEDERAL) I declare that this document was delivered at the request of a

member of the bar of this court, at whose direction the service was made.

Executed on January 27, 2010 at Los Angeles, California.

Maria Papi

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